IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.3040 OF 2007

Rang Biharilal Goel & Ors. .. Petitioners

Versus

Shyam Coop.Hsg.Society Ltd. & Ors..Respondents

Mr.D.H.Mehta i/b. H.P.Manghnani for petitioners

CORAM : S.C.DHARMADHIKARI, J.

DATE : 13th December 2007

P.C.

. The order under challenge is interlocutory order and main obstructionists notice is pending. In such circumstances, there is no reason to interfere with the same. More so, when the petitioner has ample opportunity to

show that the decree against the judgement debtor is vitiated by fraud and not binding upon him so also that he has right, title and interest in the said immovable property. Keeping all such pleas open this petition is dismissed.

(S.C.Dharmadhikari, J)